

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re: THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO, as representative of THE COMMONWEALTH OF PUERTO RICO <u>et al.</u> , Debtors. ¹	PROMESA Title III Case No. 17 BK 3283-LTS (Jointly Administered)
In re: THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO, as representative of PUERTO RICO ELECTRIC POWER AUTHORITY, Debtor.	PROMESA Title III Case No. 17 BK 4780-LTS

ORDER TERMINATING CERTAIN MOTIONS IN CONNECTION WITH
(I) THE TERMINATION OF THE PREPA RESTRUCTURING SUPPORT
AGREEMENT AND (II) THE MOTION TO DISMISS PREPA'S TITLE III CASE

On March 8, 2022, the Puerto Rico Fiscal Agency and Financial Advisory Authority filed an informative motion stating that it had exercised its right to terminate the *Definitive Restructuring Support Agreement* dated May 3, 2019. (See Docket Entry No. 20277

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

in Case No. 17-3283 and Docket Entry No. 2747 in Case No. 17-4780.) On September 19, 2022, certain parties in interest filed the *Motion of the Ad Hoc Group of PREPA Bondholders, Assured Guaranty Corp., Assured Guaranty Municipal Corp., National Public Finance Guarantee Corporation, and Syncora Guarantee, Inc. to Dismiss PREPA's Title III Case, or for Relief from the Automatic Stay to Enforce Their Right to a Receiver* (Docket Entry No. 22291 in Case No. 17-3283 and Docket Entry No. 2973 in Case No. 17-4780). On December 16, 2022, the Financial Management and Oversight Board for Puerto Rico filed proposed *Title III Plan of Adjustment of the Puerto Rico Electric Power Authority* (Docket Entry No. 3110 in Case No. 17-4780) and, on March 3, 2023, the Court entered the *Order (I) Approving Disclosure Statement, (II) Fixing Voting Record Date, (III) Approving Confirmation Hearing Notice and Confirmation Schedule, (IV) Approving Solicitation Packages and Distribution Procedures, (V) Approving Forms of Ballots and Voting and Election Procedures, (VI) Approving Notice of Non-Voting Status, (VII) Fixing Voting, Election, and Confirmation Deadlines, and (VIII) Approving Vote Tabulation Procedures.* (Docket Entry No. 3132 in Case No. 17-4780.)

In light of the above, the following motions (the “Matters”) are hereby administratively terminated and closed for statistical purposes: (i) the *Motion of National Public Finance Guarantee Corporation, Assured Guaranty Corp., Assured Municipal Corp., and Syncora Guarantee Inc. for Relief from the Automatic Stay to Allow Movants to Enforce their Statutory Right to Have a Receiver Appointed* (Docket Entry No. 4009 in Case No. 17-3283 and Docket Entry No. 975 in Case No. 17-4780), (ii) the *Financial Oversight and Management Board and AAFAF’s Memorandum of Law in Support of Motion Pursuant to Fed. R. Civ. P. 12(b)(6) to Dismiss Insurers’ Motion for Relief from the Automatic Stay to Seek Appointment of a Receiver* (Docket Entry No. 1233 in Case No. 17-4780), and (iii) *Joint Motion of Puerto Rico Electric Power Authority and AAFAF Pursuant to Bankruptcy Code Sections 362, 502, 922, and 928, and Bankruptcy Rules 3012(a)(1) and 9019 for Order Approving Settlements Embodied in the Restructuring Support Agreement and Tolling Certain Limitations Periods* (Docket Entry No. 1235 in Case No. 17-4780). For the avoidance of doubt, the parties are advised that such action is for the Court’s statistical purposes only, is not a disposition of the merits of the Matters, and is without prejudice to the rights and positions of all parties. Parties may file a motion requesting the reinstatement of any Matter.

SO ORDERED.

Dated: March 31, 2023

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge